

REMARKS

In the present Office Action, Claims 1 and 15 are rejected under 35 U.S.C 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention, and claims 15-20, 22 and 23 are rejected under 35 U.S.C 101 because the claimed invention is directed to non-statutory subject matter. And, claims 2-6, 8, 9, 16-20, 22 and 23 are objected to for being dependent on a rejected base claim. Additionally, claims 1-6, 8-20, 22 and 23 are deemed allowable over the prior art at this time, pending resolution of any rejections noted above.

Applicant has amended claims 1 and 15, and no new matter is added by way of these amendments made to the claims.

After carefully considering the remarks set forth in this Office Action, Applicant respectfully submits that the presently pending claims are already in condition for allowance. Reconsideration and withdrawal of the rejection are requested.

Discussion of the Office Action Rejections

Claim Rejections – 35 U.S.C. §112, 2nd Paragraph

Claims 1 and 15 are rejected under 35 U.S.C 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In response thereto, Applicant has amended the subject matter in claims 1 and 15.

In particular, Applicant has changed “the key data” to “the at least one key data” in line 7 of claim 7 and line 10 of claim 15. Additionally, applicant has changed “each of the test patterns” to “the test patterns” in line 7 of claim 15 according to the antecedent basis (i.e. “a plurality of test patterns” in line 6 of claim 15). Therefore, Applicant respectfully submits that the amended claims 1 and 15 are already in condition for allowance.

Claim Rejections – 35 U.S.C. §101

Claims 15-20, 22 and 23 are rejected under 35 U.S.C 101 because the claimed invention is directed to non-statutory subject matter.

In response thereto, Applicant has amended claim 15. In particular, Applicant has changed “A computer readable storage medium having computer executable instructions for performing an IP characterization method on a computer system the key data” to “A computer readable storage medium having computer executable instructions, which when executed on a computer system, perform an IP characterization method on the computer system”. Therefore, Applicant respectfully submits that the amended claim 15 is already in condition for allowance.

Discussion of the Office Action Objections

Claims 2-6, 8, 9, 16-20, 22 and 23 are objected to for being dependent on a rejected base claim.

As described above, claims 1 and 15 are already in condition for allowance, thus applicant respectfully submits that the objections of their dependent claims 2-6, 8, 9,

Customer No.: 31561
Docket No.: 13321-US-PA
Application No.: 10/711,472

16-20, 22 and 23 should be withdrawn.

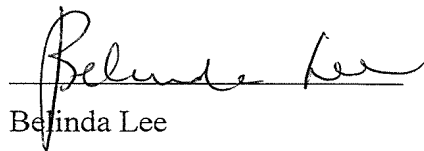
CONCLUSION

For at least the foregoing reasons, it is believed that the pending claims are in proper condition for allowance and an action to such effect is earnestly solicited. If the Examiner believes that a telephone conference would expedite the examination of the above-identified patent application, the Examiner is invited to call the undersigned.

Date :

Nov. 28, 2008

Respectfully submitted,


Belinda Lee

Registration No.: 46,863

Jianq Chyun Intellectual Property Office
7th Floor-1, No. 100
Roosevelt Road, Section 2
Taipei, 100
Taiwan
Tel: 011-886-2-2369-2800
Fax: 011-886-2-2369-7233
Email: belinda@jcipgroup.com.tw
Usa@jcipgroup.com.tw